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8 IN THE UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA, v. Plaintiff,
12
13 CHARTER ARMS SHELTON, CT (CHARTER 2000) PINK LADY OFF DUTY REVOLVER, CAL:38, SN:16-30988,
14
15 WALther P22 CA PISTOL, CAL:22, SN: WA272924,
16
17 PISTOL, UNKNOWN MANUFACTURER, UNKNOWN TYPE, CAL: UNKNOWN, SN: NONE, AND
18
19 F.N. (FN HERSTAL) FIVE-SEVEN PISTOL, CAL: 57, SN:386313842,
20
21 Defendants.

2:21-MC-00069-MCE-JDP

STIPULATION AND ORDER EXTENDING TIME FOR FILING A COMPLAINT FOR FORFEITURE AND/OR TO OBTAIN AN INDICTMENT ALLEGING FORFEITURE

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23 It is hereby stipulated by and between the United States of America and potential claimant Elton
24 Ward (“claimants”), by and through their respective counsel, as follows:

25 1. On or about December 6, 2020, claimant filed a claim in the administrative forfeiture
26 proceeding with the Bureau of Alcohol, Tobacco, Firearms and Explosives with respect to the above-
27 referenced firearms (hereafter “defendant firearms”), which were seized on or about October 6, 2020.

28 2. The Bureau of Alcohol, Tobacco, Firearms and Explosives has sent the written notice of

1 intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has
2 expired for any person to file a claim to the defendant firearms under 18 U.S.C. § 983(a)(2)(A)-(E), and
3 no person other than claimant has filed a claim to the defendant firearms as required by law in the
4 administrative forfeiture proceeding.

5 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
6 forfeiture against the defendant firearms and/or to obtain an indictment alleging that the defendant
7 firearms are subject to forfeiture within ninety days after a claim has been filed in the administrative
8 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
9 parties. That deadline was March 5, 2021.

10 4. By Stipulation and Order filed March 12, 2021, the parties stipulated to extend to April 5,
11 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
12 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
13 forfeiture.

14 5. By Stipulation and Order filed April 12, 2021, the parties stipulated to extend to May 3,
15 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
16 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
17 forfeiture.

18 6. By Stipulation and Order filed May 12, 2021, the parties stipulated to extend to June 2,
19 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
20 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
21 forfeiture.

22 7. By Stipulation and Order filed June 4, 2021, the parties stipulated to extend to August 31,
23 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
24 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
25 forfeiture.

26 8. By Stipulation and Order filed August 31, 2021, the parties stipulated to extend to
27 September 30, 2021, the time in which the United States is required to file a civil complaint for forfeiture
28 against the defendant firearms and/or to obtain an indictment alleging that the defendant firearms are

1 subject to forfeiture.

2 9. By Stipulation and Order filed October 1, 2021, the parties stipulated to extend to October
3 29, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
4 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
5 forfeiture.

6 10. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
7 to November 29, 2021, the time in which the United States is required to file a civil complaint for
8 forfeiture against the defendant firearms and/or to obtain an indictment alleging that the defendant
9 firearms are subject to forfeiture.

10 11. Accordingly, the parties agree that the deadline by which the United States shall be
11 required to file a complaint for forfeiture against the defendant firearms and/or to obtain an indictment
12 alleging that the defendant firearms are subject to forfeiture shall be extended to November 29, 2021.

13 Dated: 10/28/2021

PHILLIP A. TALBERT
Acting United States Attorney

14 By: /s/ Kevin C. Khasigian
15 KEVIN C. KHASIGIAN
16 Assistant U.S. Attorney

17 Dated: 10/27/2021

18 /s/ Daniel L. Olsen
19 DANIEL L. OLSEN
20 Attorney for potential claimant
Elton Ward

21 (Signature authorized by phone)

22 IT IS SO ORDERED.

23 DATED: November 1, 2021

24 
25 MORRISON C. ENGLAND, JR.
26 SENIOR UNITED STATES DISTRICT JUDGE